HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR
DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ.
HON'BLE SHRI D.R. DESHMUKH, J.

M.C.C. No. 521 of 2006

APPLICANTS CLAIMANTS

1. Smt. Vishakha Naik, W/o Late Kartikeshwar Naik, aged 37 Yrs.
2. Ku. Sarojani Naik, D/o Late Kartikeshwar Naik, aged 14 years.
3. Pradeep Kumar Naik, S/o Late Kartikeshwar Naik, age 12 years
4. Anil Kumar Naik, S/o Late Kartikeshwar Naik, age 10 years.
5. Ahiba Ram Naik, S/o Late Usat Ram Naik, Age about 70 years.
6. Smt. Swadhin Naik, W/o Ahisa Ram Naik, aged about 68 years, appellants no 2 to 4 are represented by legal guardian mother Vishkha Bai, All are resident of Village Dewanpali Pilsipani, P.O. – Bhasadrha, Via-Zharband, District Bargarh (Orrisa).

Versus

RESPONDENTS

1. Awatar Singh S/o Kishorisingh Rajut, aged about 40 Yrs. R/o Belgadhiya, 64/1 Shyam Bazar, Near National Hotel, Police Station-Uldadang 24 Pargana, Culcutta (W.B.) and other address is, C/o Aftab S/o Mh. Jabbaar, aged about 40 Yrs., Occupation Truck Owner, Udayanagar, Raipur District Raipur (C.G.).
2. Aftab S/o Md. Jabbaar, aged about 45 yrs., Udayanagar, Raipur, District-Raipur (C.G.).
3. The New India Insurance Co. Ltd. , Kachahari Chowk, Raipur
4. Habibur Rahman S/o Md. Kumar Sheikh, aged about 35 yrs. Nawapara, P.S. Nalathy, District-Khirbhumi (W.B.), Other postal address, C/o Vinay Kumar Gupta, S/o Late Vijay Gupta, Orrisa Bangal Roadways Pvt. Ltd., Bhanpuri, Raipur (C.G.).

5. Vinay Kumar Gupta, S/o Latge Vijay Kumar Gupta, aged about 27 Yrs., Director M/S Bharat Carrier Ltd., Plot No. S 3/61, Zone No. B Manweshwar Industrial Estate, Bhubneshwar 10, District Khurd under P.S. Manweshwar (Orrisa)
6. United India Insurance Co. Ltd. Madena Building, Kachahari Chowk, Jail Road-Raipur (C.G.).

Present : Shri S.C. Verma, learned counsel for the applicants.

ORAL ORDER
(Passed on 4th October, 2006)

The following oral order of the Court was passed by

S.R. Nayak, CJ.

Heard.

(2) Sufficient cause is shown. The M.C.C. is ordered as prayed for. The default order is set aside and the appeal is restored to file, subject to the applicants depositing a sum of Rs.200/- to the credit of Chhattisgarh High Court Legal Services Committee, within ten days from today.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

Karmde